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Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/524,927	
	Filing Date	February 17, 2005	
	First Named Inventor	SEELEY et al.	
	Art Unit		
	Examiner Name		
Total Number of Pages in This Submission	10	Attorney Docket Number	M02B149

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	Power of Attorney and Correspondence Address Indication Form (one for each named inventor)
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Landscape Table on CD	
<input checked="" type="checkbox"/> Reply to Missing Parts/Incomplete Application	Remarks	
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	The BOC Group, Inc.		
Signature			
Printed name	IRA LEE ZEBRAK		
Date	<i>Sept 27, 2005</i>	Reg. No.	31,147

CERTIFICATE OF TRANSMISSION/MAILING		
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:		
Signature	<i>Betty Lee</i>	
Typed or printed name	Betty Lee	Date
		<i>September 27, 2005</i>

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: SEELEY et al.  
S/N: 10/524,927  
Filed: February 17, 2005  
Entitled: Utilization of Waste Gas Streams  
Atty. Dkt.: M02B149

Group: n/a

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

RESPONSE TO THE NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN  
THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)


Dear Sir:

In response to the Notification Of Missing Requirements Under 35 U.S.C. 371 In The United States Designated/Elected Office (DO/EO/US) (copy enclosed) mailed August 19, 2005, Applicants submit the enclosed Declaration executed by them on September 20, 2005. The Commissioner is hereby authorized to charge to Deposit Account No. 02-2865, the \$130.00 fee required under 37 CFR 1.16(e).

The Commissioner is requested to grant any necessary extension of time and is authorized to charge any additional fee, if required, to our Deposit Account No. 02-2865. This request is submitted in triplicate.

Respectfully submitted,

Date: Sept 27, 2005  
The BOC Group, Inc.  
Legal Services - Intellectual Property  
575 Mountain Ave.  
Murray Hill, NJ 07974

  
Ira Lee Zebrak  
Attorney for Applicant(s)  
Reg. No. 31,147  
(908) 771-6469

Attachments: Original Declaration  
Notification Of Missing Requirements

10/04/2005 3FREY1 00000144 022865 10524927

02 FC-1617 130.00 DA

CERTIFICATE OF MAILING

I hereby certify that this correspondence and every writing referred to herein as being enclosed is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

September 27, 2005

(Date)

Betty Lee

Printed name of person signing this certificate

Betty Lee

Signature of person mailing

ILZ:bjl



## UNITED STATES PATENT AND TRADEMARK OFFICE

Rec'd Patent

AUG 24 2005

Intellectual Property Dept

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/524,927	Andrew James Seeley	M02B149

INTERNATIONAL APPLICATION NO.	
PCT/GB03/03670	
IA. FILING DATE	PRIORITY DATE
08/22/2003	08/23/2002

The BOC Group  
Legal Services-Intellectual Property  
575 Mountain Ave.  
Murray Hill, NJ 07974

CONFIRMATION NO. 1875  
371 FORMALITIES LETTER  
\*OC000000016804112\*  
\*OC000000016804112\*

Date Mailed: 08/19/2005

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 02/17/2005
- Copy of the International Search Report filed on 02/17/2005
- Preliminary Amendments filed on 02/17/2005
- Information Disclosure Statements filed on 02/17/2005
- U.S. Basic National Fees filed on 02/17/2005
- Priority Documents filed on 02/17/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.16(f) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

#### SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

FREDERICK SMITH

Telephone: (703) 308-9140 EXT 210

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/524,927	PCT/GB03/03670	M02B149